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Plaintiff in Pro Per

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

MARC WOLSTENHOLME,
Plaintiff,
vs.
RIOT GAMES, INC.,
Defendant

CASE NO. 2:25-CV-00053-FMO-BFM HON.

Hon. Fernando M. Olguin

DECLARATION OF MARC
WOLSTENHOLME

PLAINTIFF'S MOTION TO ENFORCE
COURT ORDERS, COMPEL DISCOVERY,
CLARIFY DEFENDANT'S POSITION, AND
SEEK PROTECTION FROM ONGOING
ABUSE

Dated this: April 15, 2025

M. WOLSTENHOLME
[MARC WOLSTENHOLME]

TO THE HONORABLE COURT:

Plaintiff Marc Wolstenholme, appearing pro se, respectfully moves the Court for relief based on Defendant Riot Games, Inc.'s ongoing and escalating pattern of bad faith litigation conduct, failure to comply with discovery and pleading obligations, and deliberate attempts to obstruct justice and manipulate settlement processes. This motion is submitted in conjunction with Plaintiff's prior filings, including Dkt. 88, and in accordance with Rules 1, 16(f), and 37 of the Federal Rules of Civil Procedure.

I. BACKGROUND AND PATTERN OF ABUSE

Since the inception of this litigation in 2021, Defendant has pursued a consistent pattern of retaliation, intimidation, procedural manipulation, and bad faith. This includes:

- Repeated threats to dismiss without addressing the merits;
- Filing duplicative motions (Dkts. 80–82) and ignoring settled issues;
- Failing to respond meaningfully to the SAC despite a court-granted extension;
- Issuing no responses at all to Plaintiff's First Set of Discovery Requests, served March 14, 2025;
- Misrepresenting Plaintiff's willingness to settle and attempting to manipulate Rule 26(f) proceedings;

This conduct has been accompanied by a well-documented history of Riot Games engaging in abusive behaviors both internally and publicly, mirroring the actions of its legal

1 counsel in this case, which has caused substantial distress and procedural disadvantage to the
2 Plaintiff.

3 **II. LEGAL BASIS FOR RELIEF**

4 Under Rule 16(f), the Court may issue sanctions or enforce compliance where a
5 party fails to obey scheduling or pretrial orders. Under Rule 37, Plaintiff is entitled to an order
6 compelling responses to properly served discovery, and may request further sanctions for refusal
7 to participate in good faith.
8

9 **III. RELIEF REQUESTED**

10 Plaintiff respectfully requests that the Court grant the following relief:

- 11 1. Issue a clear order requiring Riot Games, Inc. to provide a definitive response
12 to the Second Amended Complaint.
13
- 14 2. Compel full and timely responses to Plaintiff's First Set of Discovery Requests,
15 which were served on March 14, 2025.
16
- 17 3. Enter an order requiring Defendant to engage in all Court-supervised settlement
18 conferences in good faith, refraining from threats, delay, or manipulation.
19
- 20 4. Order Defendant to acknowledge and engage with Plaintiff's Prerequisite
21 Requirements for Settlement Discussions in advance of the April 24 conference.
22
- 23 5. Provide judicial oversight and protection during any settlement proceedings or
24 related communications to ensure Plaintiff is not subject to further coercion or abuse.
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1 **IV. CONCLUSION**

2 Defendant's ongoing litigation misconduct has reached a point where it directly
3 threatens the integrity of this case and the wellbeing of the Plaintiff. The Court's intervention is
4 now essential to ensure fair, just, and timely resolution of these proceedings.
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6 Please see annex for a narrative explanation of these behaviors and concerns.
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Annex

Narrative explanation of these behaviors and concerns.

Riot have failed to give any response to the discovery requests. Riot Failed to give a meaningful response to the SAC. This continues a pattern of bad faith, whereby they say and pretend to be engaging in the court's orders whilst also abusing the vulnerability and disadvantages of the Plaintiff.

This is concerning given the well documented pattern at Riot Games of HyperNormalisation tactics, and perhaps social warfare tactics, namely, targeting vulnerable people whilst pretending to be a beacon of diversity, after stealing from vulnerable people, repackaging the IP theft and selling it back to the public.

The Plaintiff is worried about entering any unprotected conference with Riot Games, given their persistent manipulation, threats and abuse tactics. Riot has had tens of opportunities to act in good faith and come to settlement out of court, such as ADR, every single time, they have tried to use a fake mask of cooperating to intimidate and manipulate the Plaintiff.

Namely, in 2021 they lied about timelines, threatened debilitating legal fees, threaten to have the cases kicked out from the off, used language to suggest the cases were closed, and leaned into the Plaintiff's disabilities to coercively control him and to abuse him out of proceedings. This is not ethical, and it mirrors wider concerns at Riot Games.

Wed, 1 Dec 2021 at 03:06, Aaron Moss also stated, "There will be no mediation, out of court settlement, or bestowed credit at any time."

1 During the Joint 26 (f) report conference, as documented in Conference Notes -
2 Rule 26(f) conference- Thursday 13 Feb commenced 17:13- Aaron Moss, tried to manipulate the
3 Plaintiff into believing he suggested a Magistrate Judge, tried to put false words in the mouth of
4 the Plaintiff, then did not answer anything relevant to the conference, in terms of the Plaintiff's
5 position.
6

7 During the construction of the Joint Report, Riot attempted to insert language into
8 the Joint Rule 26(f) Report without Plaintiff's consent, including statements under Plaintiff's
9 name. This violated cooperative drafting rules and misrepresented Plaintiff's legal position.
10

11 2025-02-14- During Rule 26(f) discussions, Aaron Moss expressed willingness to
12 join settlement while admitting Riot had no intention of settling, undermining court efficiency
13 and imposing undue stress on a pro se litigant.

14 Despite the Court orders, Riot gave no substantive, and perhaps Illegal, reply to
15 the SAC despite having a 30-day extension from the court, but instead used procedural flip-
16 flopping to exhaust and abuse the Plaintiff. They also demonstrated no good faith engagement in
17 settlement exchanges and no answer at all to the Plaintiff's first discovery requests.
18

19 In 3.5 years, All Riot has ever produced is threats to dismiss, abuse and
20 obstruction to prolong proceedings. To counter this clear and demonstratable pattern of abuse, at
21 Riot Games and from its legal team, the Plaintiff attempted to issue Prerequisite Requirements
22 for Settlement Discussions. These requirements were aimed at preventing the continuation of the
23 behaviours of Riot and its Legal Team, yet they refused all engagement and lied to the court
24 about the Plaintiff's refusal to participate. This was a clear deceitful attempt to abuse the court
25

1 process. These are the very same, well documented, abuse and blame tactics at Riot Games. The
2 very same pattern of social engineering and abuse we see in its isolated communities which
3 result in more data control and speech policing of conditions they created.
4

5 During the Pre-Settlement Conference, it was abundantly clear that Josh Geller
6 was going to use a smug and dismissive tone to try to manipulate the process into a favourable
7 resolution. He stated that Riot did not intend to give a clear response to the SAC nor Discovery
8 and they would seek to dismiss. He also stated that he would get this case finished long before
9 Riot's insurance kicks in.
10

11 Josh Geller calls the Plaintiff's evidenced complaints as "Conspiratorial", and
12 Aaron Moss calls the Plaintiff's concerns for his own safety, and the safety and security of the
13 public "scandalous, impertinent, scurrilous, and/or without relevancy" despite their, and Riot
14 Games's patterns of abuse and behaviors driving concerns and these concerns being well
15 articulated over 65 pages and being supported by the concerns of the US Committee on Foreign
16 Investment, The California Civil Rights Department's concerns, the concerns of thousands of
17 female employees of Riot Games and the concerns of other whistleblowers still having to fight
18 for justice.
19

20 Josh Geller and Aaron Moss are clearly very skilled and well versed in deceit,
21 abuse, manipulation and prolonging and circumventing justice to profit and abuse. Josh Geller
22 keeps stating that Riot Games has already spent a considerable amount on litigation, what he
23 fails to state is that he has profited from the prolonged litigation, and it was the actions of himself
24 and Aaron Moss who escalated litigations at every opportunity, at the expense of Riot Games,
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1 even when the Plaintiff pleaded with them to aim for resolutions and gave them endless
2 opportunities to actually resolve matters.

3 Doublespeak, clear pattern of targeting and abusing vulnerable people,
4 discrimination, manipulation, intimidation, lies, threats, and even telling the Plaintiff from the
5 start that this is what they planned to do. Which is to say, harass and exhaust him, rack up
6 endless court expenses and blame the Plaintiff, then use these expenses to intimidate and apply
7 pressure, present a face of good faith whilst abusing and telling the Plaintiff the opposite.
8

9 These are alarming tactics, the Plaintiff has expressed these concerns in Dkt 88,
10 PLAINTIFF'S MOTION OF CONCERN REGARDING DEFENDANT'S LITIGATION
11 BEHAVIOR AND CONDUCT AND WIDER GLOBAL CONCERNS. Moreover, Bloomberg
12 reported that the US Committee on Foreign Investment has sent letters of inquiry to both Riot
13 Games and Epic Games due to their business ties to Tencent games. The State of California must
14 babysit Riot Games because of the endemic abuses of vulnerable people.
15

16 All of this, and yet the Plaintiff is ordered to participate in closed arenas where
17 Josh Geller and Aaron Moss are free to abuse, with impunity on behalf of Riot Games. The
18 Plaintiff states that Riot's legal team has made it impossible to litigate in a settlement conference
19 without protection and they have done so deliberately to falsely imply that the Plaintiff is not co-
20 operating. This is abuse.
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1 Declaration of Authenticity:

2 I, Marc Wolstenholme, declare under penalty of perjury that the statements made
3 are true and accurate
4

5 Executed on April 15, 2025, in Coventry, England.
6

7 Respectfully submitted,

8 Signature: *M. WOLSTENHOLME.*
9

10 Marc Wolstenholme
11

12 Plaintiff in Pro Per

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